

CALIFORNIA ENERGY COMMISSION

1516 Ninth Street
Sacramento, California 95814

WEBSITES

Main website: www.energy.ca.gov
Children's website: www.energyquest.ca.gov
Consumer Information: www.ConsumerEnergyCenter.org



February 8, 2007

**Effective Date of Data-Submittal to the Energy Commission
for Federally-Regulated Appliances**

To Appliance Manufacturer Trade Associations (list of addressees is attached)

Ladies and Gentlemen,

Thank you for your cooperation as the California Energy Commission ("CEC") prepares to resume collection of data for federally-regulated appliances. As you know, an important part of the effort is the adoption of amendments to the CEC's appliance regulations, pursuant to the District Court's September 11, 2006 order in *ARI v. ERCDC*, which set a nominal effective date of March 12, 2007. We anticipate that the CEC will not be able to adopt the amendments until its Business Meeting of March 14 or March 28, 2007. (The amendments will affect some non-federally-regulated appliances, as well as the federally-regulated products and equipment that were the subject of the litigation.)

Thus despite the diligent work of the CEC Staff, manufacturers, and trade associations, it is clear that we will not be ready for data collection for all affected appliances by March 12. Therefore, when the amendments are adopted in March, the CEC's Efficiency Committee intends to recommend that the Commission:

- (1) direct an effective date, for resumption of mandatory data-collection for federally-regulated appliances, of no earlier than September 17, 2007 (this is the effective date of the appliance-marking regulations that were the subject of the *ARI v. ERCDC* litigation); and
- (2) delegate to the Committee the responsibility for indicating the actual effective date when the request for approval of the adopted amendments is submitted to California's Office of Administrative Law.

The Commission or the Committee may prescribe different effective dates for data collection for different appliances, but no date will be earlier than September 17.

Again, thank you for your help as we move forward. Staff will continue to work closely with you and other interested parties to ensure a transition that is as timely and efficient as possible. To this end, the CEC would appreciate your sending this letter to your manufacturer members and to other stakeholders who might be interested. The CEC will also post the letter on its website.

If you have any questions regarding the effective date of data submittal for federally-regulated appliances, please contact Betty Chrisman, the CEC's Appliance Efficiency Program Manager, at BChrisma@energy.state.ca.us.

(Questions on data submittal for appliances not affected by the *ARI v. ERCDC* litigation should be directed to certification staff at appliances@energy.state.ca.us. The CEC will continue to process data for such appliance as it currently does.)

Sincerely,

/s/

Jonathan Blees
Assistant Chief Counsel

cc: Chairman Pfannenstiel
Commissioner Rosenfeld
Tim Tutt
John Wilson
Staff Appliance Team

Addressees: February 8, 2007 letter from Jonathan Blee to Trade Associations:

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